

REMARKS

Favorable reconsideration and allowance of the subject application are respectfully requested in view of the following remarks.

Summary of the Office Action

Claim 10 stands rejected under 35 U.S.C. §102(b) as being anticipated by *Vrijma* (U.S. Patent No. 3,695,129).

Claims 11-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Vrijma*.

Summary of the Response to the Office Action

Applicant amends claim 10 by this amendment. Claims 10-15 remain currently pending.

Claim Rejections Under 35 U.S.C. §§102(b) and 103(a)

Claim 10 stands rejected under 35 U.S.C. §102(b) as being anticipated by *Vrijma*. Claims 11-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Vrijma*. To the extent that these rejections might be applied to the claims, as newly-amended, they are respectfully traversed for at least the following reasons.

Applicant respectfully submits that *Vrijma* does not anticipate independent claim 10 because *Vrijma* does not disclose all of the features of the claim 10. For instance, it is respectfully submitted that *Vrijma* fails to disclose the claimed combination as set forth in independent claim 10, as newly-amended, including at least “wherein each blade is associated with, and located approximately adjacent to, a corresponding one of the wires, such that a slot is formed at a corner of each green brick being formed.”

In contrast to the claimed combination, *Vrijma* discloses “V” or “U” shaped blades that form a slot in a block of material in a plastic state. In particular, each of *Vrijma*’s blades (12) is spaced from the two adjacent cutting wires (6) so as to be centrally located therebetween. See,

for example, FIG. 2 of *Vrijma*. Thus, when a “slug” passes the wires (6), the resultant blocks have sharp edges with the slot located centrally of one side of the blocks, not at a corner of the green brick as set forth in Applicant’s claimed combination.

Further, *Vrijma* does not even remotely consider forming slots in the edges of green bricks. Instead, *Vrijma* specifically teaches providing a central slot as shown in FIGs. 2, 4 and 5. Thus, *Vrijma* suggests providing its blades spaced from the cutting wires. Accordingly, Applicant respectfully submits that *Vrijma* fails to teach or suggest at least the features of “wherein each blade is associated with, and located approximately adjacent to, a corresponding one of the wires, such that a slot is formed at a corner of each green brick being formed,” as set forth in independent claim 10, as newly-amended.

M.P.E.P. § 2131 states “[t]o anticipate a claim, the reference must teach every element of the claim.” Since *Vrijma* fails to teach or suggest each and every element set forth in independent claim 10, it is respectfully submitted that *Vrijma* does not anticipate claim 10.

Also, M.P.E.P. §2143.03 instructs that “[t]o establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).” Since claims 11-15 depend from claim 10, it is respectfully submitted that *Vrijma* also does not render claims 11-15 unpatentable.

Moreover, claims 11-15 are also allowable because of the limitations recited therein. For instance, it is respectfully submitted that *Vrijma* also fails to teach or suggest the claimed combinations as set forth in claims 12-13 including “wherein the blades are mounted on the beams, with the blades being arranged in pairs, with each pair including a respective one of the blades on each of the beams and between which an associated one of the cutting wires passes.”

In addition, the Office Action takes official notice in rejecting claims 11-15 at paragraph

5, lines 6-8. Applicant respectfully traverses the Office Action's assertion and respectfully requests that evidence be provided in accordance with M.P.E.P. §2144.03 if the rejection is maintained with the next official communication.

Accordingly, withdrawal of the rejection of claim 10 under 35 U.S.C. §102(b) and the rejection of claims 11-15 under 35 U.S.C. §103(a) is respectfully requested.

Conclusion

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310.

If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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